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Practitioner's Docket No.: 1095_001CON

PATENT

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re the application of: Louis B. Paludi

Ser. No.: 09/976,431

Group Art Unit: 3713

Filed: October 12, 2001

Examiner: Enatsky, Aaron L.

For: GAME UTILIZING NON-IDENTICAL SEQUENTIAL IMAGES AS A WINNING CONDITION

"EXPRESS MAIL" mailing label number EL 796814286 US .

I hereby certify that this paper or fee is being deposited with the United States Postal Service "Express Mail Post Office to Addressee" service under 37 CFR 1.10 addressed to the **Box Patent Application**, Assistant Commissioner for Patents, Washington D.C. 20231 on

March 21, 2003

Cheryl M. Nichols
Cheryl M. Nichols

Box AF
Assistant Commissioner for Patents
Washington, DC 20231

NOTICE OF APPEAL FROM THE PRIMARY EXAMINER
TO THE BOARD OF PATENT APPEALS AND INTERFERENCES
(37 C.F.R. § 1.191)

NOTE: An appeal may be based on one rejection in a prior application and one rejection in a continuing application. 62 Fed. Reg. 53,131, at 53,167; 1203 O.G. 63, at 93 (Oct. 10, 1997).

NOTE: There is no requirement for a notice of appeal to: (1) be signed; or (2) identify the appealed claims. 62 Fed. Reg. 53,131, at 53,167; 1203 O.G. 63, at 94 (Oct. 10, 1997).

Applicant hereby appeals to the Board from the decision of the Primary Examiner, mailed February 18, 2003, finally rejecting claims 1-22.

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TECHNOLOGY CENTER R3700

The item(s) checked below are appropriate:

1. STATUS OF APPLICANT

This application is on behalf of

- ☒ other than a small entity.
☐ a small entity. Applicant claims small entity status. See 37CFR 1.27

2. FEE FOR FILING NOTICE OF APPEAL

Pursuant to 37 C.F.R. 1.17(b), the fee for filing the Appeal Brief is:

- ☐ small entity \$160.00
☒ other than a small entity \$320.00

Notice of Appeal fee due \$320.00

3. EXTENSION OF TERM

NOTE: The time periods set forth in 37 C.F.R. 1.191 are subject to the provision of § 1.136 for patent applications. 37 C.F.R. 1.191(d). (But see 37 C.F.R. 1.645 for extension of time in interference proceedings and 37 C.F.R. 1.550(c) for extension of time in reexamination proceedings).

(complete (a) or (b), as applicable)

The proceedings herein are for a patent application and the provisions of 37 C.F.R. 1.136 apply.

- (a) ☐ Applicant petitions for an extension of time under 37 C.F.R. 1.136 (fees: 37 C.F.R. 1.17(a)(1)-(4)) for the total number of months checked below:

Extension (months)	Fee for other than <u>small</u> <u>entity</u>	Fee for <u>small</u> <u>entity</u>
<input type="checkbox"/> one month	\$110.00	\$55.00
<input type="checkbox"/> two months	\$400.00	\$200.00
<input type="checkbox"/> three months	\$920.00	\$460.00
<input type="checkbox"/> four months	\$1440.00	\$720.00

Fee: \$0.00

If an additional extension of time is required, please consider this a petition therefor.

(check and complete the next item, if applicable)

- (a) ☐ An extension for one month has already been secured, and the fee paid therefor of \$_____ is deducted from the total fee due for the total months of extension now requested.

Extension fee due with this request \$

or

- (b) ☒ Applicant believes that no extension of term is required. However, this conditional petition is being made to provide for the possibility that applicant has inadvertently overlooked the need for a petition and fee for extension of time.

4. TOTAL FEE DUE

The total fee due is:

Notice of Appeal fee	\$ <u>320.00</u>
Extension fee (if any)	\$ <u>.00</u>
TOTAL FEE DUE	\$ <u>320.00</u>

5. FEE PAYMENT

☒ Attached is a check in the sum of \$320.00.
☐ Charge Account No. _____ the sum of \$ _____.

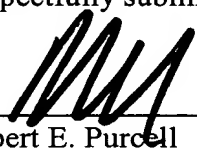
6. FEE DEFICIENCY

NOTE: If there is a fee deficiency and there is no authorization to charge an account, additional fees are necessary to cover the additional time consumed in making up the original deficiency. If the maximum, six-month period has expired before the deficiency is noted and corrected, the application is held abandoned. In those instances where authorization to charge is included, processing delays are encountered in resuming the papers to the PTO Finance Branch in order to apply these charges prior to action on the cases. Authorization to charge the deposit account for any fee deficiency should be checked. See the Notice of April 7, 1986, 1065 O.G 31-33.

☒ If any additional extension and/or fee is required, this is a request therefor and to charge Account No. 50-0289.

Respectfully submitted,

Dated: March 20, 2003

By: 
Robert E. Purcell
Reg. No. 28,532

REP/cmn

Customer No.:



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